

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 387

August 10, 1995, 6:48 p.m.
Page S-12167 Temp. Record

DEFENSE APPROPRIATIONS/Invoice Payment Schedule

SUBJECT: Department of Defense Appropriations Bill for fiscal year 1996 . . . S. 1087. Stevens motion to table the Bingaman amendment No. 2394.

ACTION: MOTION TO TABLE AGREED TO, 62-37

SYNOPSIS: As reported, S. 1087, the Department of Defense Appropriations Bill for fiscal year 1996, will appropriate \$242.7 billion for the military functions of the Department of Defense for fiscal year 1996, which is \$6.4 billion more than requested and \$2.3 billion less than the fiscal year (FY) 1995 funding level.

The Bingaman amendment would strike section 8082, which provides that "Notwithstanding any other provision of law, the Department of Defense shall execute payment in not more than 24 days after receipt of a proper invoice." (Currently, the Defense Department makes payments within 30 days of a receipt of an invoice.)

Debate was limited by unanimous consent. Following debate, Senator Stevens moved to table the Bingaman amendment. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

Those favoring the motion to table contended:

Requiring the Defense Department to pay its bills in fiscal year 1996 within 24 days of receipt instead of within 30 days makes sense for two reasons. First, many small defense contractors are in great financial difficulty due to the rapid downsizing that has been going on in defense over the past 10 years. As a result, when they are owed money they often need to be paid quickly in order to avoid bankruptcy. The second reason is the same as on the previous amendment--increasing the payment rate will help correct an imbalance between budget authority and outlays that will occur next year. Making the change from 30 days to 24 days will increase fiscal year 1996 outlays by \$750 million. There is room under the defense outlay cap for that increase. Our colleagues claim that this is a \$750 million spending increase is misleading, though, because that money will be paid in 1997 if it is not paid in 1996. Our colleagues want us to "save" \$750 million in 1996 by spending it in 1997 instead. If it is spent in 1997, it will be spent under the 1997

(See other side)

YEAS (62)			NAYS (37)			NOT VOTING (1)	
Republicans (50 or 93%)		Democrats (12 or 27%)	Republicans (4 or 7%)		Democrats (33 or 73%)	Republicans (0)	Democrats (1)
Abraham	Helms	Breaux	Grassley	Akaka	Kennedy		Bradley ⁴
Ashcroft	Hutchison	Dodd	Jeffords	Baucus	Kerrey		
Bennett	Inhofe	Feinstein	Kassebaum	Biden	Kerry		
Bond	Kempthorne	Ford	Lugar	Bingaman	Kohl		
Brown	Kyl	Heflin		Boxer	Lautenberg		
Burns	Lott	Hollings		Bryan	Leahy		
Campbell	Mack	Inouye		Bumpers	Levin		
Chafee	McCain	Johnston		Byrd	Moseley-Braun		
Coats	McConnell	Lieberman		Conrad	Moynihan		
Cochran	Murkowski	Mikulski		Daschle	Murray		
Cohen	Nickles	Reid		Dorgan	Nunn		
Coverdell	Packwood	Robb		Exon	Pell		
Craig	Pressler			Feingold	Pryor		
D'Amato	Roth			Glenn	Rockefeller		
DeWine	Santorum			Graham	Sarbanes		
Dole	Shelby			Harkin	Simon		
Domenici	Simpson				Wellstone		
Faircloth	Smith						
Frist	Snowe						
Gorton	Specter						
Gramm	Stevens						
Grams	Thomas						
Gregg	Thompson						
Hatch	Thurmond						
Hatfield	Warner						

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

outlay cap. That cap is tight; we do not have the excess outlay room under that cap that we have under the 1996 cap. We will then have to cut other defense programs to make room for that \$750 million in outlays. Spending with high outlay rates, like military pay, will be cut, and spending with low outlay rates, like many procurement programs, will be increased. Thus, if our colleagues get their way, our military priorities will be distorted in 1997 because they were unwilling to require the Defense Department to pay its bills a little earlier. Under President Bush, the Defense Department was required to pay its bills within 24 days. It changed to 30 days in 1994 under President Clinton as a means of gaining a little more outlay authority in that year. In other words, there is nothing unusual about using bill payment rates as a means of adjusting outlay levels. Our colleagues claims of "savings" with this amendment are absolutely false, plus this amendment would distort future defense priorities. We therefore urge its rejection.

Those opposing the motion to table contended:

This bill contains an unjustifiable handout to defense contractors. In both the public and private sector, when an invoice is received, it is customary to make payment within 30 days. This bill will require the Defense Department to pay its bills within 24 days instead. The cost next year to the American taxpayers of this change will be \$750 million if it is ever enacted into law. However, we doubt it will, because we suspect that it will be abandoned in conference. Conferees will think of new uses for the excess outlays under the 1996 defense cap. This invoice change is not serious; it is a \$750 million placeholder. Instead of using these outlays in this manner, we think we should spend the money on social programs. Conferees should not be given a \$750 million pot of money to spend. We hope our colleagues agree, and will join us in opposing the motion to table the Bingaman amendment.